

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

Case No.: 3:08-cv-143

PORTALES PLACE PROPERTY, LLC,

Plaintiff,

v.

MARIO GUESS a/k/a JERRY DEMARIO
GUESS a/k/a J.D. GUESS a/k/a JERRY D.
GUESS, LIGNA ACQUISITION GROUP, LLC,
and THP ESCROW SERVICES CORP.,

Defendants.

**ORDER DENYING
DEFENDANTS' MOTION TO STAY
FURTHER ATTACHMENT, LEVY AND
OTHER PROCEEDINGS BY PLAINTIFF
AGAINST ALL DEFENDANTS**

This matter is before the Court on the Motion of Defendants Mario Guess a/k/a Jerry DeMario Guess a/k/a J.D. Guess a/k/a Jerry D. Guess ("Guess") and Ligna Acquisition Group, LLC ("Ligna") for a stay of enforcement of the attachment, garnishment and related proceedings authorized by this Court in this case (the "Motion"). Upon consideration of Defendants' supporting memorandum of law, Plaintiff's memorandum in opposition, and the entire Court file, it is hereby ORDERED and DECREED that:

1. The evidence before this Court indicates that Plaintiff is entitled to attach the assets of Ligna and Guess to secure any money judgment obtained in this case and to the other preliminary relief granted to Plaintiff by the Court in its prior orders.

2. Defendants have not presented any cognizable evidence in support of their request for a stay of enforcement of the attachment, garnishment and other preliminary proceedings authorized by this Court and, therefore, the Motion is denied in its entirety.

SO ORDERED.

Signed: May 2, 2008



Graham C. Mullen
United States District Judge

